

IN THE CLAIMS

Please cancel claims 18-26 without prejudice as being directed to non-elected subject matter.

Please amend claims 1, 2, 4, 5, and 14 and add claims 27-38 pursuant to 37 C.F.R. § 1.121 as follows. A marked up version of claims 1, 2, 4, 5, and 14 is enclosed.

1. (Amended) A shoe comprising:

an upper;

a lower attached to the upper; and

an outsole attached to the lower, the outsole having a first section and a second section, the first section being formed of a first material and the second section having an outer layer formed of a fabric material, wherein the first section is entirely free of any fabric material.

2. (Amended) The shoe of claim 1, wherein the fabric material comprises a ground contacting surface and is free of contact with the first section.

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4. (Amended) The shoe of claim 1, wherein the backing layer is connected to the first material of the first section to define an integral outsole member.

5. (Amended) The shoe of claim 3, wherein the backing layer and the first material are made of the same material.

14. (Amended) A shoe outsole having a ground contacting surface, the ground contracting surface comprising:

a first section formed of a fabric material and a second section formed of a non-fabric material, wherein the fabric material is completely surrounded by the second section.

27. (Newly Added) The shoe of claim 1, wherein the first section occupies a greater surface area than the second section.

28. (Newly Added) A shoe outsole comprising:
a first section having a ground contacting portion formed of a fabric material; and
a second section which is free of fabric material through an entire thickness thereof.

29. (Newly Added) The shoe outsole of claim 28, wherein the first section further includes:
a backing layer, the fabric material being integrally attached to the

backing material.

30. (Newly Added) The shoe outsole of claim 29, wherein the backing layer is formed of the same material that forms the second section.

31. (Newly Added) The shoe outsole of claim 28, wherein the first section is an insert having a backing layer and the second section is moldably formed around the first section.

32. (Newly Added) The shoe outsole of claim 28, wherein the second section completely extends around an outside perimeter of the outsole resulting in the fabric material being confined to an inner region of the outsole.

33. (Newly Added) The shoe outsole of claim 29, wherein the second section is moldably attached to the backing layer.

34. (Newly Added) The shoe outsole of claim 28, wherein the second section completely surrounds the fabric material.

35. (Newly Added) The shoe outsole of claim 28, wherein there is a gap between a perimeter edge of the fabric material and the second section.

36. (Newly Added) The shoe outsole of claim 28, wherein the ground contacting portion occupies more than 50% of a ground contacting surface of the outsole.

37. (Newly Added) The shoe outsole of claim 28, wherein the first section is an insert having a backing layer and the second section is moldably formed around the first section.

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38. (Newly Added) A shoe outsole comprising:
a first section;
a second section in the shape of an island with the first section completely surrounding the second section, the second section having a fabric material disposed on a ground contacting portion thereof, the second section being integrally connected to the first section through a backing layer that supports and is integrally connected to the fabric material, wherein the first section is free of fabric material.

REMARKS

Applicants respectfully request entry of the above amendment prior to the Examiner acting on this application.

Should the Examiner believe that direct contact with Applicants'